

This document is a draft of a planned solicitation and is subject to change without notice.



REQUEST FOR PROPOSALS (RFP) No. **00000**

FOR

Development, Management and Operation of the
Miami-Dade West End District Park



PRE-PROPOSAL CONFERENCE TO BE HELD:

_____, 2016 at __:00 AM (local time)
111 NW 1st Street, 13th Floor, Conf. Rm. __, Miami, Florida

ISSUED BY MIAMI-DADE COUNTY:

Internal Services Department, Procurement Management Services Division
for
Parks, Recreation and Open Spaces Department

COUNTY CONTACT FOR THIS SOLICITATION:

, Procurement Contracting Officer
111 NW 1st Street, Suite 1300, Miami, Florida 33128
Telephone: (305) 375-XXXX
E-mail: XXX@miamidade.gov

PROPOSAL RESPONSES DUE:

INSERT DATE AND TIME

Electronic proposal responses to this RFP are to be submitted through a secure mailbox at BidSync until the date and time as indicated in this document. It is the sole responsibility of the Proposer to ensure its proposal reaches BidSync before the Solicitation closing date and time. There is no cost to the Proposer to submit a proposal in response to a Miami-Dade County solicitation via BidSync. Electronic proposal submissions may require the uploading of electronic attachments. The submission of attachments containing embedded documents or proprietary file extensions is prohibited. All documents should be attached as separate files. All proposals received and time stamped through the County's third party partner, BidSync, prior to the proposal submittal deadline shall be accepted as timely submitted. The circumstances surrounding all proposals received and time stamped after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office to determine whether the proposal will be accepted as timely. Proposals will be opened promptly at the time and date specified. The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. BidSync Customer Service Representatives are available at 1-800-990-9339 (8AM-8PM) EST. The County will in no way be responsible for delays caused by technical difficulty or caused by any other occurrence. All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s).

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date. The County will only consider the latest version of the proposal. For competitive bidding opportunities available, please visit the County's Internal Services Department website at: <http://www.miamidade.gov/procurement/>.

Requests for additional information or inquiries must be made in writing and submitted using the question/answer feature provided by BidSync at www.bidsync.com. The County will issue responses to inquiries and any changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date (**see addendum section of BidSync Site**). Proposers who obtain copies of this Solicitation from sources other than through BidSync risk the possibility of not receiving addenda and are solely responsible for those risks.

1.0 PROJECT OVERVIEW AND GENERAL TERMS AND CONDITIONS

1.1 Introduction

Miami-Dade County, hereinafter referred to as the County, as represented by the County's Parks, Recreation and Open Spaces Department ("PROS"), is seeking proposals from qualified firms, corporations, joint ventures, partnerships, individuals or other legal entities ("Proposer") to design, develop, construct and later assume the management, programming and operation of the Miami-Dade West End District Park ("MDWEDP").

This Solicitation contemplates construction of approximately 150 undeveloped acreage of MDWEDP ("Site"), as detailed in **Attachment B, Concept Plan**, as well as the operations and maintenance of the entire MDWEDP. Proposers may submit proposals for the development of a portion, or portions, of the Site.

The County envisions the establishment of a multi-purpose athletic complex facility to serve as a year-round premier public park freely available for open play and scheduled tournaments and team development that will lend itself to non-exclusive professional, semi-professional, college, league and recreational use. Potential uses, may include but not be limited to: multi-use sports facility, training/fitness area, stadium field, community center, playground/picnic area and parking. Additional facilities may be considered at the sole discretion of the County.

Due to the limitations currently set forth in the deed restrictions for the MDWEDP, any award resulting from this Solicitation shall be contingent upon an approval of the National Park Services (NPS). Proposer may refer to Attachment E, Miami-Dade County's Home Rule Amendment & Charter, as well as Attachment F, Zoo Deed Restrictions Transferred to MDWEDP for further information on restrictions.

The selected Proposer(s), either as one entity or as an aggregate entity, should have sports venue experience in the areas of: 1) design and construction; 2) management and operations; and 3) programming and marketing; and must also possess adequate financial capacity to provide all capital facilities along with management and operational services.

The County anticipates awarding one business entity a Development and Concessions Management Agreement for up to thirty (30) years for the turn-key development, management and operation of the MDWEDP, subject to County review and approval. The County, at its sole discretion, may optionally extend the term for up to two (2) additional ten (10) year periods.

The anticipated schedule for this Solicitation is as follows:

Solicitation Issued:

Pre-Proposal Conference:

See front cover for date, time, and place. Attendance is recommended but not mandatory. If you need a sign language interpreter or materials in accessible format for this event, please call the ADA Coordinator at (305) 375-2013 or email hjwrig@miamidade.gov at least five days in advance.

Deadline for Receipt of Questions:

Proposal Due Date:

See front cover for date and time.

Evaluation Process:

Projected Award Date:

1.2 Definitions

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

1. The word "Contractor" to mean the Proposer that receives any award of a contract from the County as a result of this Solicitation, also to be known as "the prime Contractor".
2. The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
3. The words "Development Team" to mean the group of persons who develop and construct the MDWEDP, to include the principal(s) submitting the proposal, if the County enters into a development and operations agreement for the Site.
4. The words "Management/Operations Team" to mean the group of persons managing and operating the array of facilities and other essential tasks within the Miami-Dade West End District Park, to include the principal(s) submitting the proposal, if the County enters into subsequent development and operations agreement for the Site.
5. The acronym "MDWEDP" to mean the Miami-Dade West End District Park, a property owned and operated by PROS.
6. The word "Proposal", to mean the properly signed and completed written submission in response to this Solicitation by a Proposer for the Services, and as amended or modified through negotiations.
7. The word "Proposer" to mean the person, firm, entity or organization, as stated on the Solicitation Submittal Form, submitting a response to this Solicitation, to include development and management and operations teams, to be used interchangeably.
8. The words "Scope of Services" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor.
9. The word "Site" to mean the undeveloped portion of MDWEDP located at SW 157th Avenue/120th Street, Miami Florida 33196.
10. The word "Solicitation" to mean this Request for Proposals (RFP) document, and all associated addenda and attachments.
11. The word "Subcontractor" or "Subconsultant" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Services to the County, whether directly or indirectly, on behalf of the Contractor.
12. The words "Work", "Services", "Program", or "Project" to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.

1.3 General Proposal Information

The County may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate project scope and fees; postpone or cancel at any time this Solicitation process; or waive any irregularities in this Solicitation or in the responses received as a result of this process. In the event that a Proposer wishes to take an exception to any of the terms of this Solicitation, the Proposer shall clearly indicate the exception in its proposal. No exception shall be taken where the Solicitation specifically states that exceptions may not be taken. Further, no exception shall be allowed that, in the County's sole discretion, constitutes a material deviation from the requirements of the Solicitation. Proposals taking such exceptions may, in the County's sole discretion, be deemed nonresponsive. The County reserves the right to request and evaluate additional information from any respondent regarding respondent's responsibility after the submission deadline as the County deems necessary.

The submittal of a proposal by a Proposer will be considered a good faith commitment by the Proposer to negotiate a contract with the County in substantially similar terms to the proposal offered and, if successful in the process set forth in this Solicitation and subject to its conditions, to enter into a contract substantially in the terms herein. Proposals shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation, prior to the proposal due date or upon the expiration of 180 calendar days after the opening of proposals.

Proposers are hereby notified that all information submitted as part of, or in support of proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law". The

Proposer shall not submit any information in response to this Solicitation which the Proposer considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this Solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Proposer. In the event that the Proposer submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, the County may, in its sole discretion, either (a) communicate with the Proposer in writing in an effort to obtain the Proposer's written withdrawal of the confidentiality restriction or (b) endeavor to redact and return that information to the Proposer as quickly as possible, and if appropriate, evaluate the balance of the proposal. Under no circumstances shall the County request the withdrawal of the confidentiality restriction if such communication would in the County's sole discretion give to such Proposer a competitive advantage over other proposers. The redaction or return of information pursuant to this clause may render a proposal non-responsive.

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be found non-responsive. To request a copy of any ordinance, resolution and/or administrative order cited in this Solicitation, the Proposer must contact the Clerk of the Board at (305) 375-5126.

1.4 Cone of Silence

Pursuant to Section 2-11.1(t) of the Miami-Dade County Code, as amended, a "Cone of Silence" is imposed upon each RFP or RFQ after advertisement and terminates at the time a written recommendation is issued. The Cone of Silence prohibits any communication regarding RFPs or RFQs between, among others:

- potential Proposers, service providers, lobbyists or consultants **and** the County's professional staff including, but not limited to, the County Mayor and the County Mayor's staff, County Commissioners or their respective staffs;
- the County Commissioners or their respective staffs **and** the County's professional staff including, but not limited to, the County Mayor and the County Mayor's staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the County's professional staff, the Mayor, County Commissioners or their respective staffs **and** any member of the respective Competitive Selection Committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Services Section, the responsible Procurement Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the solicitation document;
- oral communications at pre-proposal conferences and oral presentations before Competitive Selection Committees during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting;
- recorded contract negotiations and contract negotiation strategy sessions; or
- communications in writing at any time with any county employees, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP or RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFP or RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response necessary) and file a copy with the Clerk of the Board, which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at clerkbcc@miamidade.gov.

All requirements of the Cone of Silence policies are applicable to this Solicitation and must be adhered to. Any and all written communications regarding the Solicitation are to be submitted only to the Procurement Contracting Officer with a copy to the Clerk of the Board. The Proposer shall file a copy of any written communication with the Clerk of the Board. The Clerk of the Board shall make copies available to any person upon request.

1.5 Communication with Competitive Selection Committee Members

Proposers are hereby notified that direct communication, written or otherwise, to Competitive Selection Committee members or the Competitive Selection Committee as a whole are expressly prohibited. Any oral communications with Competitive Selection Committee members other than as provided in Section 2-11.1 of the Miami-Dade County Code are prohibited.

1.6 Public Entity Crimes

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.7 Lobbyist Contingency Fees

- a) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.
- b) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County Mayor or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.8 Contract Measures

Except as otherwise exempt by applicable law, all privately and publicly funded construction with a total value over \$200,000 must comply with Sections 10-33.02 and 2-10.4.01 of the Code of Miami Dade County (the "Code"), which govern the County's Community Small Business Enterprise ("CSBE") and Community Business Enterprise ("CBE") programs. The Selected Proposer(s) shall submit or cause to be submitted the Design and Construction Packages, to the Small Business Development Division of Internal Services Department ("SBD/ISD") prior to advertisement of the Design and Construction Packages, for review and determination of appropriate small business program measures, and the application of same. All packages must be advertised and awarded with the applicable small business measures in accordance with the requirements of the above mentioned Codes.

Small Business Enterprises (SBE)

The selected Proposer(s) must adhere to the following Small Business Programs, where applicable. All Selected Proposer(s) must adhere to the contract measure established for each bid package to include, a contract set-aside, or a trade set-aside, or a subcontract goal, or a bid preference, or a selection factor, singly or in any combination. Small Business measures may be applied to any subsequent agreement for this project between the Selected Proposer(s) and its Subcontractors.

- a) COMMUNITY SMALL BUSINESS ENTERPRISE PROGRAM (CSBE) (Section 10-33.02 of the Miami-Dade Code AS AMENDED, and Ordinance 12-05);
- b) COMMUNITY BUSINESS ENTERPRISE PROGRAM (CBE) (Section 2-10.4.01 of the Miami-Dade Code AS AMENDED, and Ordinance 12-05);
- c) SMALL BUSINESS ENTERPRISE PROGRAM (SBE) (Ordinance 05-29 and Administrative Order 3-41);
- d) COMMUNITY WORKFORCE PROGRAM (CWP) (ORDINANCE 03-1 AS AMENDED); and
- e) RESPONSIBLE WAGES AND BENEFITS ORDINANCE 90-143.
- f) ART IN PUBLIC PLACES PROGRAM (ORDINANCE 94-12 AS AMENDED)

The provisions of Miami-Dade County's Responsible Wages and Benefits Ordinances (Section 2-11.16 of the code of Miami-Dade County) stipulate that for construction contracts valued greater than \$100,000, all laborers and mechanics employed or working upon a project will be paid the full amount of wages and fringe benefits (or cash equivalent thereof) computed at rates not less than those contained in the wage determination in effect at the time the work is performed, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

1.9 Collusion

In accordance with Section 2-8.1.1 of the Code of Miami-Dade County, where two (2) or more related parties, as defined herein, each submit a proposal for any contract, such proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Proposer or the principals thereof which have a direct or indirect ownership interest in another Proposer for the same contract or in which a parent company or the principals thereof of one Proposer have a direct or indirect ownership interest in another Proposer for the same contract. Proposals found to be collusive shall be rejected. Proposers who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

2.0 SCOPE OF SERVICES

2.1 General Information

The County is limited to providing the Site as-is, where-is, without further contribution. MDWEDP was acquired by PROS in 2000, under Resolution Number R-408-00, with funding originating from the Safe Neighborhood Parks (SNP) Bond Program, Quality Neighborhood Improvement Program (QNIP) Bonds, Florida Communities Trust, and Park Impact Fees. After its acquisition, the County recorded restrictions on MDWEDP in favor of the NPS, a bureau of the U.S. Department of the Interior (USDOI). The deed restrictions require that MDWEDP lands be used for public park and recreation purposes and that any concession or license agreement for MDWEDP first be approved by the USDOI Secretary of the Interior. Over the past ten years, PROS has licensed MDWEDP to farmers as an interim revenue source until development of park facilities takes place.

The selected Proposer will be responsible for the design, permitting, construction, construction management, operation, business planning, maintenance, management, and all other aspects of the MDWEDP, in accordance with all restrictions in place, which will provide a turn-key operation to the County.

It is the responsibility of each Proposer before submitting a proposal, to:

- 1) Examine every component of this Solicitation, Site plans, environmental assessment and other associated information (which may not be provided by the County), as well as the draft agreement documents included in this Solicitation thoroughly and notify the County of all conflicts, errors or discrepancies in the documents that may affect submission of a Proposal, prior to deadline for receipt of questions stipulated in Section 1.1.
- 2) Visit the Site to become familiar with conditions that may affect costs, progress, performance or furnishing of the Work.
- 3) Take into account federal, state and local laws, regulations, permits, and ordinances that may affect costs, progress, performance, furnishing of the Work.

The submission of a Proposal shall constitute an incontrovertible representation by Proposer(s) that Proposer(s) has complied with the above requirements and that without exception, the proposal is premised upon performing and furnishing the Work required by the Solicitation and that the information provided is sufficient in scope and detail to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

2.2 Project/Site Location and Description

MDWEDP is a 164-acre property located west of SW 157th Avenue and north of SW 120th Street, in the southwest portion of unincorporated Miami-Dade County, Florida, 33196 as provided in **Attachment A, Location Map**. The zoning classification for MDWEDP is IU-C (Industrial District-Conditional). MDWEDP is located immediately adjacent to the Kendall-Tamiami Regional Airport and a portion of the southeast corner of the park is within the Outer Safety Zone (OSZ) of the airport. MDWEDP has convenient access to the Homestead Extension of the Florida Turnpike, located four (4) miles to the east, and is within two (2) miles of restaurants located on SW 137th Avenue.

The County has already developed a dog park at MDWEDP on approximately five (5) acres which lie immediately east of SW 157th Avenue and north of SW 120th Street. The County will also develop twenty-five feet (25) along the western edge of the SW 157th Avenue right-of-way, within the MDWEDP parcel from the Black Creek Canal to SW 120th Street. The aforementioned development, referred to as **Phase 1A**, is provided as **Attachments C/C1**, and will include an access control fence, a bike trail and landscaping.

The County approved a **General Plan for MDWEDP** in 2004, as provided in **Attachment D**. However, recent interest by the community for a regional sports complex prompted PROS to develop a new plan for MDWEDP. To further explore community involvement, PROS held a series of public meetings with user groups and community residents. Based on those meetings and research of comparable facilities, PROS developed a **Concept Plan** for MDWEDP, provided as **Attachment B**, which depicts the desired elements and layout. Proposer(s) should generally comply with the Concept Plan, which will require the Miami-Dade Board of County Commissioners (BCC) to approve an update to the General Plan for MDWEDP, prior to execution of any agreement resulting from this Solicitation.

2.3 **Site Conditions**

1. **Existing Condition**

The Site and any existing improvements are offered “as-is, where-is” by the County for the development, operation and management of the MDWEDP. The selected Proposer(s) shall, at its sole expense, address as part of their proposal any inconsistency or needs between the existing condition and the conditions needed for proposed use.

Note: The County commissioned a **Due Diligence Report** provided herein as **Attachment M**, for the Site. The report includes all available information and known regularity requirements and constraints for the Site. The Due Diligence Report is provided for informational and historical purposes, and provides no guarantee of accuracy or completeness. The selected Proposer(s) shall be responsible for all costs associated with complying, removing, modifying or otherwise addressing any of the Site restrictions.

2. **Inspection Period**

Proposer(s) shall visit the Site and review the Site conditions. The Site is accessible for review through a limited access road accessed from SW 120th Street. All such visits shall not require County staff assistance. Visits shall be confined to viewing the site, immediate area and any improvements; reviewing past and present usage patterns; and for the purpose of better understanding future possibilities, all without impacting ongoing activities.

3. **Improvements and Concept Plan**

All such uses of the MDWEDP must compliment and be consistent with approved park and recreation uses for the property. The selected Proposer(s) will be fully responsible for platting the property based on the Site plan they provide as part of their Proposal, or as negotiated and approved by the County.

4. **Parking**

The selected Proposer(s) shall provide sufficient parking facilities consistent with the standards of similar venues and County code. While admission to the MDWEDP property shall remain free, the County and the selected Proposer(s) may agree to institute charges for specific event parking within the entirety of the parking area associated with the MDWEDP.

5. **Site Utilization**

The MDWEDP is a publicly owned County park Site which shall remain open to the public during operating hours which meet demand. The County will not permit for the selected Proposer(s) to offer exclusive use of the facility to the exclusion of public use and access. Notwithstanding the occasional specific and exclusive training sessions, field rentals, tournaments and privately operated facilities, all use of the remainder of the property shall not be exclusive so that public access is not unreasonably restricted. The selected Proposer(s) shall be required to coordinate use calendars with the County in order to retain and manage public access and use. The County will maintain an operational and physical staff presence within the property, and require up to thirty (30) calendar days each year which the County may schedule, at its discretion, for County sponsored events, at times and days that do not unreasonably interfere with scheduled and reserved uses by the selected Proposer(s). All such County uses shall be agreed upon in advance with the concurrence of the selected Proposer(s).

2.4 **County Objectives**

The County's Open Space Master Plan (OSMP) envisions great parks, public spaces, natural and cultural areas, streets, greenways, blue-ways, and trails. For further detail on the OSMP, please visit the County's website: <http://www.miamidade.gov/parksmasterplan/home.asp>

On this property, and through this Project, the County seeks to accomplish the following objectives:

1. Establish a Park for Public Benefit

Create and accelerate the development of public park improvements, public access, and limited exclusive uses proposed by the **Concept Plan** as defined in **Attachment B**. Immediate community benefit and access are of utmost importance. Where possible and practical, development proposals should suggest the type, quantity and layout of multi-sport improvements, fundamental to the success of the project, which would be funded by the selected Proposer(s).

2. Advancement of a Multi-Sports Complex and the Play of Organized Sports within the County

The County is interested in exploring the higher level fields and facilities necessary for the establishment of premier youth leagues, major and minor league teams, and the type of high caliber training sites necessary to support their success within Miami-Dade County.

3. Provide Economic Development

Creation of a multi-sports complex park is considered a significant economic development enhancement tool for the western portion of the County. Development proposals should complement and bolster economic growth in the area and within the County by maximizing consumer expenditures, creating local area jobs, temporary construction, permanent employment and payroll, and adding to real property, business, sales and intangible tax collections. Proposals should also address how the impact of this development will positively impact existing facilities and services already in the area.

4. Provide Revenue to PROS

The MDWEDP was conceived as a way to utilize the Site's unique location relative to the Kendall area to provide for much needed sports fields. The selected Proposer(s) should propose a marketing plan which will generate significant revenue consistent with similar venues.

2.5 Project Plan

Proposer(s) is required to generally conform to the approved Concept Plan, but may provide other innovative design solutions that address and conform to all regulatory requirements of the Site. Substantial deviations from the Plan may require additional plan and other regulatory approvals that may delay development and may reduce the competitiveness of the Proposal. **Existing Site Constraints/Restrictions Listing** is provided as **Attachment L** for Proposer(s) information. All Site plans will require review and input from regulatory agencies development. In all improvement scenarios, Miami-Dade County shall maintain ownership of the land.

The County will not apply for federal grants, however, may support the application of a selected Proposer(s), at its sole discretion, if it were to be consistent with all regulatory requirements and affords positive economic impact. Additionally, the selected Proposer(s) shall not encumber the MDWEDP for financing purposes. Additional information addressing the Site and MDWEDP, but not specifically referred to in the Solicitation, is provided throughout the attachments within Section 6.

2.6 Project Use

The County expects that interested parties may profitably utilize the MDWEDP for the following public park purposes:

- Hosting premier local, state, national and international training for teen and adult teams
- Signature competitive games and tournaments
- Centralized location for academy skill development programs
- Year-round adult league play
- Comprehensive sport rehabilitation/fitness enhancement programs
- Year-round field sport team/tournament use (lacrosse, field hockey, etc.)

Specific approved components which must, at a minimum, be included in any proposal plan include:

1) Tournament Fields; 2) Stadium Field; 3) Concession(s)/Field House(s)/Restrooms; 4) Training Facility; 5) Playgrounds (See **Attachment N for Playground Details**); 6) Lake with canoe and kayak launch; 7) Parking; 8) Large Community Center; 9) Greenway trails, walking and bike paths and fitness zones inclusive of equipment; 10) Pavilions and Shelters; 11) Open Spaces for events and festivals, to included landscaping; and 12) Maintenance Facility.

Proposer(s) may offer and include additional component (*beyond Concept Plan*), however such component will not be used for evaluation and scoring purposes - and may be considered for negotiation purposes only. Additional component will not provide the Proposer(s) a competitive advantage. Additional component may also require further development approval.

Proposer(s) is required to obtain Leadership in Energy and Environmental Design (LEED) certification. Proposer(s) shall provide endorsement documentation to confirm compliance with this requirement. Requirement for applying LEED standard may be substituted by a comparable third party verified certification, such as the latest version available of Green Globes, or the International Green Building Code (IGCC).

2.7 County Requirements

The MDWEDP is a public park open to all residents and tourists alike. There shall be no property entrance fee, but there may be field, and supporting office and pavilion rental charges. The County seeks to ensure and retain public access and use, but it does not preclude the selected Proposer(s) from scheduling field and facility rentals that do not eliminate public access to other areas while reserved uses take place. Tournaments, to include team tournaments, which are open to the public and are considered public events shall not be restricted. The facility will support public field recreation which is likely to include field rentals. Parking fees are not anticipated outside of scheduled events.

The County anticipates for the development of the MDWEDP to be fiscally sustainable for the selected Proposer(s) and require no capital or operational support from the County.

The selected Proposer(s) shall:

1. Operate seven (7) days per week with hours consistent with public demand. There are no limitations on hours of operation.
2. Provide 600 square feet of office space with all utilities and services for County park administrative use.
3. Allow the County up to thirty (30) days per year of scheduled use for the public, without cost to the County. Quarterly or annual calendar meetings can be used to determine schedules.

2.8 Project Requirements

The Proposer(s) shall:

1. Provide a description of the proposed development approach. The narrative shall address the overarching approach to the project, the player target markets, resident and tourist use/viewing accessibility, and how field sport players can be trained and developed.
 - A. Provide a description of proposed improvements. The detailed plan(s) shall illustrate the entire MDWEDP development approach on all portions of the Site in compliance with all relevant conditions imposed by plan approvals and Site conditions to include all fields, facilities, and amenity areas, along with existing improvements, common roads and parking areas. All such plans shall indicate the size, location, dimensions and configuration of buildings to be developed at scale. The improvement plan should be based on the following elements:
 - a. Concept Plan Compliance: The selected Proposer(s) shall ensure compliance with any requirements of the approved Concept Plans.
 - b. Land Use Compliance: The selected Proposer(s) shall ensure compliance with any requirements of storm water management, in addition to all state, federal and local requirements.
 - c. Marketing/Management Plan: The selected Proposer(s) shall provide a summary marketing and management plan that describes how and when the public and teams may play at the MDWEDP, the type and frequency of reserved and open play, and ancillary use related concessions, and rehabilitation and fitness programs. Consideration should be given to how the management of this facility will integrate and complement other County programs and uses.
2. Provide proposed improvement costs. Proposer(s) proposal must include an Order of Magnitude Cost Estimate for any and all plan elements in the proposed Site plan, inclusive of fields, facilities, and amenity areas, along with existing improvements, common roads and parking areas. The estimates, inclusive of the infrastructure costs of the Project, shall be complete and realistic in that general quantities and prices used in developing the estimate reflect actual market level or best estimates of future price levels, and are credible in that the estimating methodology used is consistent with applicable industry standards and practices. It is

particularly important that Proposer(s) review all information related to Site conditions and adjust where necessary all construction practices and costs.

Note: The County anticipates contributing approximately \$20,000,000 in Building Better Communities-General Obligation Bond (BBC-GOB) Program funds to the Site development. Based on the Fiscal Year 2015-16 Adopted Budget and the anticipated expenses of Phase 1A, funding may be available pursuant to the following schedule, subject to negotiations:

• FY 2015-16	\$0
• FY 2016-17	\$0
• FY 2017-18	\$14,247,000
• FY 2018-19	\$5,753,000

Proposer(s) should note that the use of BBC-GOB funds **cannot** be used for design services and require the selected Proposer(s) to competitively procure architect and engineering services, in accordance with Miami-Dade County policies.

3. Provide a proposed Improvement Schedule: Proposer(s) proposal must include a general and expected improvement schedule for the Site. The schedule shall include all variously phased improvements and shall be provided in a summary Gantt Chart that may be amended as necessary, with the County's prior approval.
4. Provide renderings: Proposer(s) proposal must include renderings (photo simulations of the proposed project) showing views of the overall improvements, including: 1) at-grade views from the front of MDWEDP, 2) an aerial perspective, and 3) from within the various Project(s), including the improvements, key architectural elements/features, parking, plazas, greenways, open spaces, pedestrian walkways and signage.
5. Provide a proposed operations and management plan, to include corresponding budget: Proposer(s) proposal must include, at a minimum: 1) mission goals and objectives, 2) staffing qualifications, training, certifications, and identification of designated representative(s)/liaison(s), 3) public safety and basic health and safety standards, 4) actions to ensure protection of the environment, 5) security/response to emergency situations/reliable communications, 6) responsiveness to meeting and exceeding community experience, 7) optional services (i.e., interpretive programs, special services/rentals, etc.), 8) fees charged for participation in event/program, use of facility, 9) data management, such as methods of tracking and reporting use, 10) and any special conditions.

2.9 Qualifications and Experience of Development Team

The Development Team should have:

1. A minimum of one (1) Architect licensed and registered in the State of Florida as required by Chapter 481, Part I of the Florida Statutes, Architecture, with at least ten (10) years' experience. Architect should have substantial experience in the design and renovation of the specified uses within the MDWEDP.
2. A minimum of one (1) Landscape Architect, licensed and registered in the State of Florida as required by Chapter 481, Part II, Landscape Architecture, of the Florida Statutes, with at least ten (10) years' experience. Landscape Architect should have substantial experience in the design and renovation of the specified uses within the MDWEDP.
3. At least five (5) years of experience in design and construction of sport venues areas, sport fields, or other comparable destinations of equal size and complexity.

2.10 Qualifications and Experience of Management/Operations Team

The Management /Operations Team should have at least five (5) years of experience in the management of successful operation of entertainment areas, themed attractions, lodging venues or other comparable destinations of equal size and complexity.

The Management/Operations Team as a whole, must have the requisite expertise in the operation of multi-sports complex and training/fitness/rehabilitation facilities, in addition to event management, financial and management capability to operate a MDWEDP destination facility and projects with similar scope and complexity, as identified in the project objectives.

Note: The preceding information should be provided with the Proposals, however, the County may, in its sole and absolute discretion, consider proposals that do not include all of the preceding information and/or request that Proposer(s) provide any of the preceding information that is missing at any time after proposals are due and prior to the award of any agreement(s).

2.11 Consultant(s)

The consultant(s) to the Proposer, if any, may be one firm possessing all the required expertise or may be several individuals or firms, which when combined, possess all the required expertise. Consultant teams may also include professional planning and design consultants and sub-consultants, financial and marketing sub-consultants and operation and management consultant(s). Consultants or general contractors may submit their qualifications for more than one Development Team. However, the Proposer(s) and other permanent (management/operational) staff of the Project (*team members required beyond the construction phase, as in principals, operations and management personnel*) shall only submit their names in one submission and shall not be part of any other submission in any capacity.

2.12 Financial Capability

The Proposer(s) shall show all elements and components of the capital plan required to finance the Project. To the extent feasible, the Proposer(s) shall describe in detail all sources of capital, operations and maintenance funds dedicated to the Project.

The Proposer(s) shall provide:

1. A cash flow pro forma analysis integrating revenues, operating expenses, renovation/improvement costs, and debt service for a minimum startup period inclusive of the first seven (7) years of the Project's operation. The financial analysis and feasibility of the Project shall be presented to enable a clear understanding of financial feasibility and financial inflows and outflows both on any phased basis and an integrated total basis over any phased schedule, and shall also enable a clear understanding of the projected rents and any other financial returns to the County anticipated over the projection period.
2. Evidence of Proposer(s) financial capacity to assume and complete the Project.
3. Details of resources to be utilized as equity for the Project.
4. A credit report generated by a reputable and recognized independent source no earlier than one month prior to Proposal submission, as applicable for existing companies or Development Teams and/or all members of the proposed Management/Operations Team.
5. A financial statement originating from a bank, financial institution or Certified Public Accountant (CPA) certifying that the Proposer(s) has a private net worth or access to private equity in excess of the amount necessary to develop, manage and/or operate the Project, as may be applicable to their participation.
6. Detailed information on the level of private financial commitments to fund the primary Project and, if planned, any limited dependence upon any public funds; subsidies, public credit enhancements, loans, loan guarantees, or other publically sponsored financial mechanism for infrastructure or other Project costs. The Proposer(s) should describe in detail all sources of capital funds for the Project including, but not limited to, the following:
 - a. Private Sector Equity Contributions - The Proposer(s) shall estimate the amount of expected equity contributions and shall describe the expected sources of these equity funds based on its past experience to raise and invest similar capital for projects of a similar scale. Any terms and conditions relating to these commitments shall be identified. Where possible, Proposer(s) is encouraged to substantiate equity commitments through an informal banker's letter of credit or other appropriate banking instrument. The formal letter of equity commitment shall not be required until the end of a financial due diligence period, commencing after execution of an agreement with the selected Proposer(s).
 - b. Debt Related Financing - The Proposer(s) shall identify the amounts of debt related financing and shall describe the methods for obtaining such financing. The Proposer(s) shall also identify the risks associated with this debt financing, including the terms and maturity of such debt, and describe any guarantees or other securities pledged to the repayment of such debt and any restrictions and covenants associated with this debt. The cost associated with underwriting and issuing this debt instrument as well as the method of issuance (e.g., public offering or private placement) shall be discussed under this Section.

- c. **Public Funding** – The Proposer(s) shall identify the amount of public debt financing in the form of bonds, grants or trust allocations it will seek to complete financing of the Project. Proposer(s) shall identify the public agency and the manner through which such funding shall be allocated and approved. The public cost associated with underwriting and issuing these debt instruments, as well as the method of issuance (e.g., bond allocation or trust fees), shall be discussed under this Section.

The Proposer(s) Proposal shall evidence the firm's financial ability, understanding and wherewithal to carry out the Project scope. The County may, at any time, request additional information regarding the Proposer(s) financial capability Proposal.

2.13 **Payment Schedule**

The County anticipates to be compensated for the use of the Site that the County is offering as part of this Solicitation. As such, Proposer(s) must provide projected payments to the County in the form of: a) an Initial Rent, b) Land Rent/Minimum Guaranteed Rent; c) Percentage Rent/Percentage of Monthly Gross Revenues; d) Miscellaneous Fees and e) Project Management Fee. Proposer(s) Proposal shall include a payment schedule to the County which identifies the aforementioned sources of funds and that equitably compensates the County for its resources and allows the County to share, to some extent, in the financial success of the development(s).

The County completed a fair market appraisal of the property, zoned as agricultural, in 2011. Such appraisal valued the MDWEDP property at \$8.6 million. As such, the County seeks a payment structure from Proposer(s) that best approximates or exceeds the total return amount to the County through the proposed combination of Minimum Annual Guaranteed Rent and Percentage of Monthly Gross Revenue Rent, as described below.

- a. **Initial Rent.** The selected Proposer(s) shall pay the County an Initial Rent annually for the period between the Agreement Effective Date and the Date of Beneficial Occupancy (after improvements are completed) at any or all of the respective improvement areas. Based on the latest appraised value of the property, the County estimates an Initial Rent of no less than **\$60,000 per year**.
- b. **Land Rent: Minimum Annual Guaranteed Rent.** After the Date of Beneficial Occupancy and through the termination date of the Agreement, the selected Proposer(s) shall pay the County a Minimum Annual Guaranteed Rent on the first day of each month (after improvements). Based on the latest fair market appraisal of the property, the County estimates a Minimum Annual Guaranteed Rent of no less than **\$120,000 per year**.
- c. **Percentage Rent: Percentage of Monthly Gross Revenue.** **In addition to the Guaranteed Monthly Rent**, the selected Proposer(s) shall pay the County on a monthly basis a Percentage of Adjusted Gross Receipts, for revenue from the sale of all fees, goods and services provided at the location, as of Date of Beneficial Occupancy (after improvements).
- d. **Miscellaneous Fees.** The County anticipates the MDWEDP to produce additional fees that will accrue to the selected Proposer(s) in the form of event parking revenues, corporate sponsorships, licenses, television and possibly advertising revenues, etc.
- e. **Project Management Fee.** The County will assign a PROS Capital Project Manager ("CPM") to the Project, pursuant to the sample **Development Rider** provided herein as **Attachment O**, to expedite its design, permitting and construction. The CPM will be paid 1.5% of the total development cost, not to exceed \$200,000 per year, from execution date of the agreement to date of Beneficial Occupancy. The fee is instituted on all PROS projects only during design, permitting and construction phases to ensure compliance with County asset management and to reduce difficulties associated with capital improvement projects.

3.0 RESPONSE REQUIREMENTS

3.1 **Submittal Requirements**

In response to this Solicitation, Proposer should **complete and return the entire Proposal Submission Package**. Proposers should carefully follow the format and instructions outlined therein. All documents and information must be fully completed and signed as required and submitted in the manner described.

The proposal shall be written in sufficient detail to permit the County to conduct a meaningful evaluation of the proposed services. However, overly elaborate responses are not requested or desired.

4.0 EVALUATION PROCESS

4.1 Review of Proposals for Responsiveness

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this Solicitation. A responsive proposal is one which follows the requirements of this Solicitation, includes all documentation, is submitted in the format outlined in this Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

4.2 Evaluation Criteria

Proposals will be evaluated by a Competitive Selection Committee which will evaluate and rank proposals on criteria listed below. The Competitive Selection will be comprised of appropriate County personnel and members of the community, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the Competitive Selection Committee is balanced with regard to both ethnicity and gender. The criteria are itemized with their respective weights for a maximum total of one hundred (100) points per Competitive Selection Committee member.

Technical Criteria

Points

- | | |
|---|----|
| 1. Relevant experience and qualifications of development, management, and operations team(s), to include business development team performing programming and event management along with key personnel, inclusive of subcontractors, if any. | 40 |
| 2. Project narrative inclusive of how well approved plans for this Site incorporate components of Concept Plan. Include approach to providing the services requested in this Solicitation, objectives, conceptual plan, development plan to include time frame, summary marketing/management plan to include number of proposed detailed events and marketing strategies, operation plan, and phasing guarantees. | 30 |

Financial Capacity

- | | |
|--|----|
| 3. Proposer's financial capability to providing the services requested in this Solicitation inclusive of their financial feasibility of the Project, order of magnitude cost estimate and pro forma. | 25 |
|--|----|

Payment Schedule (Return to the County)

- | | |
|--|---|
| 4. Proposer's total payment to the County as identified on Form B, Payment Schedule, in the form of total capital investment of improvements, initial rent, land rent, percentage rent and any miscellaneous monies derived from event parking, sponsorships, licenses, television revenue, etc. | 5 |
|--|---|

4.3 Oral Presentations

Upon evaluation of the technical criteria indicated above, rating and ranking, the Competitive Selection Committee may choose to conduct an oral presentation with the Proposer(s) which the Competitive Selection Committee deems to warrant further consideration based on, among other considerations, scores in clusters and/or maintaining competition. (See Affidavit – "Lobbyist Registration for Oral Presentation" regarding registering speakers in the proposal for oral presentations.) Upon completion of the oral presentation(s), the Competitive Selection Committee will re-evaluate, re-rate and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

4.4 Local Certified Veteran Business Enterprise Preference

This Solicitation includes a preference for Miami-Dade County Local Certified Veteran Business Enterprises in accordance with Section 2-8.5.1 of the Code of Miami-Dade County. "Local Certified Veteran Business Enterprise" or "VBE" is a firm that is (a) a local business pursuant to Section 2-8.5 of the Code of Miami-Dade County and (b) prior to proposal or bid submittal is certified by the State of Florida Department of Management Services as a veteran business enterprise pursuant to Section 295.187 of the Florida Statutes. A VBE that submits a proposal in response to this solicitation is entitled to receive an additional five percent of the evaluation points scored on the

technical portion of such vendor's proposal. If a Miami-Dade County Certified Small Business Enterprise (SBE) measure is being applied to this Solicitation, a VBE which also qualifies for the SBE measure shall not receive the veteran's preference provided in this section and shall be limited to the applicable SBE preference. At the time of proposal submission, the firm must affirm in writing its compliance with the certification requirements of Section 295.187 of the Florida Statutes and submit this affirmation and a copy of the actual certification along with the proposal submittal form.

4.5 Payment Schedule Evaluation

The payment schedule proposal will be evaluated subjectively in combination with the technical proposal, including an evaluation of how well it matches Proposer's understanding of the County's needs described in this Solicitation, the Proposer's assumptions, and the value of the proposed services. The payment schedule evaluation is used as part of the evaluation process to determine the highest ranked Proposer. The County reserves the right to negotiate the final terms, conditions and payment schedule of the contract as may be in the best interest of the County.

4.6 Local Preference

The evaluation of competitive solicitations is subject to Section 2-8.5 of the Miami-Dade County Code, which, except where contrary to federal or state law, or any other funding source requirements, provides that preference be given to local businesses. If, following the completion of final rankings by the Competitive Selection Committee a non-local Proposer is the highest ranked responsive and responsible Proposer, and the ranking of a responsive and responsible local Proposer is within 5% of the ranking obtained by said non-local Proposer, then the Competitive Selection Committee will recommend that a contract be negotiated with said local Proposer.

4.7 Negotiations

The Competitive Selection Committee will evaluate, score and rank proposals, and submit the results of the evaluation to the County Mayor or designee with its recommendation. The County Mayor or designee will determine with which Proposer(s) the County shall negotiate, if any, taking into consideration the Local Preference Section above. The County Mayor or designee, at their sole discretion, may direct negotiations with the highest ranked Proposer, negotiations with multiple Proposers, and/or may request best and final offers. In any event the County engages in negotiations with a single or multiple Proposers and/or requests best and final offers, the discussions may include price and conditions attendant to price.

Notwithstanding the foregoing, if the County and said Proposer(s) cannot reach agreement on a contract, the County reserves the right to terminate negotiations and may, at the County Mayor's or designee's discretion, begin negotiations with the next highest ranked Proposer(s). This process may continue until a contract acceptable to the County has been executed or all proposals are rejected. No Proposer shall have any rights against the County arising from such negotiations or termination thereof.

Any Proposer recommended for negotiations shall complete a Collusion Affidavit, in accordance with Sections 2-8.1.1 of the Miami-Dade County Code. (If a Proposer fails to submit the required Collusion Affidavit, said Proposer shall be ineligible for award.)

Any Proposer recommended for negotiations may be required to provide to the County its most recent certified business financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the present financial condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if certified financial statements are unavailable.

4.8 Contract Award

Any proposed contract, resulting from this Solicitation, will be submitted to the County Mayor or designee. All Proposers will be notified in writing of the decision of the County Mayor or designee with respect to contract award. The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the County to be in the best interest of the County and shall be subject to approval by the State of Florida and the National Park Service, Secretary of the Interior. Notwithstanding the rights of protest listed below, the County's decision of whether to make the award and to which Proposer shall be final.

4.9 Rights of Protest

A recommendation for contract award or rejection of all proposals may be protested by a Proposer in accordance with the procedures contained in Sections 2-8.3 and 2-8.4 of the County Code, as amended, and as established in Implementing Order No. 3-21.

5.0 TERMS AND CONDITIONS

The anticipated form of agreement is attached. The terms and conditions summarized below are of special note and can be found in their entirety in the agreement:

a) Vendor Registration

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. For online vendor registration, visit the Vendor Portal: <http://www.miamidade.gov/procurement/vendor-registration.asp>. Then, the recommended Proposer shall affirm that all information submitted with its Vendor Registration Package is current, complete and accurate at the time it submitted a response to the Solicitation by completing an Affirmation of Vendor Affidavit form as requested by the County.

b) Insurance Requirements

The Contractor shall furnish to the County, Internal Services Department, Procurement Management Services Division, prior to the commencement of any work under any agreement, Certificates of Insurance which indicate insurance coverage has been obtained that meets the stated requirements.

6.0 ATTACHMENTS

Draft Form of Agreement
Proposal Submission Package

Attachments Package

[Attachment A](#) - Location Map
[Attachment B](#) - Concept Plan for MDWEDP
[Attachment C/C1](#) - Phase 1A Development/Cross Section
[Attachment D](#) - General Plan for MDWEDP
[Attachment E](#) - Miami-Dade County Charter - Article 7 Restrictions
[Attachment F](#) - NPS Deed Restrictions Transferred From Zoo Miami to MDWEDP
[Attachment G](#) - Kendall-Tamiami Airport Flight Zone Restriction Map
[Attachment H](#) - Kendall-Tamiami Airport Flight Zone Restriction Descriptions
[Attachment I](#) - Florida Community Trust (FCT) 12 Acre Portion of the Site Map
[Attachment J](#) - Florida Community Trust (FCT) 12 Acre Portion of the Site Management Plan
[Attachment K](#) - Current Topography
[Attachment L](#) - Existing Site Constraints/Restrictions Listing
[Attachment M](#) - Due Diligence Report
[Attachment N](#) - Playground Details
[Attachment O](#) - Current Development Rider Utilized by PROS
[Attachment P](#) - Florida Community Trust (FCT) Fact Sheet on Land Exchange Rule
[Form B](#) - Price Proposal Draft 12.15
[Proposer Information Draft](#) 12.15